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United States of America
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8 IN THE UNITED STATES DISTRICT COURT
9
EASTERN DISTRICT OF CALIFORNIA

10
11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 CYNTHIA SEELEY,
15 Defendant.

CASE NO. 2:20-CR-00202 WBS
STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER
DATE: November 15, 2021
TIME: 9:00 a.m.
COURT: Hon. William B. Shubb

16
17 STIPULATION

18 Plaintiff United States of America, by and through its counsel of record, and defendant, by and
19 through defendant's counsel of record, hereby stipulate as follows:

- 20 1. By previous order, this matter was set for status on November 15, 2021.
21 2. By this stipulation, defendant now moves to continue the status conference until January
31, 2022 at 9:00 a.m., and to exclude time between November 15, 2021, and January 31, 2022, under
Local Code T4.
22
23 3. The parties agree and stipulate, and request that the Court find the following:
24 a) The government has represented that the discovery associated with this case
includes investigative reports, records obtained from third parties, email correspondence, and
other electronic records consisting of over 730 pages of documents as well as an audio recording.
The discovery has been either produced directly to counsel and/or made available for inspection
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1 and copying.

2 b) Defense counsel represents that he is continuing to collect information that will
3 likely bear on the resolution of the case. He seeks additional time to collect this information and
4 time also to present it to the government, as well as time to prepare for trial if this matter is not
5 otherwise resolved.

6 c) Counsel for defendant believes that failure to grant the above-requested
7 continuance would deny him the reasonable time necessary for effective preparation, taking into
8 account the exercise of due diligence.

9 d) The government does not object to the continuance.

10 e) Based on the above-stated findings, the ends of justice served by continuing the
11 case as requested outweigh the interest of the public and the defendant in a trial within the
12 original date prescribed by the Speedy Trial Act.

13 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
14 et seq., within which trial must commence, the time period of November 15, 2021 to January 31,
15 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
16 T4] because it results from a continuance granted by the Court at defendant's request on the basis
17 of the Court's finding that the ends of justice served by taking such action outweigh the best
18 interest of the public and the defendant in a speedy trial.

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2 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
3 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
4 must commence.

5 IT IS SO STIPULATED.
6

7 Dated: November 9, 2021

PHILLIP A. TALBERT
Acting United States Attorney

9 /s/ SHELLEY D. WEGER

10 SHELLEY D. WEGER
11 Assistant United States Attorney

12 Dated: November 9, 2021

13 /s/ TIMOTHY ZINDEL by Shelley
14 Weger as authorized on 11/9/21

15 TIMOTHY ZINDEL
16 Counsel for Defendant
17 CYNTHIA SEELEY

FINDINGS AND ORDER

18 IT IS SO FOUND AND ORDERED

19 Dated: November 12, 2021

20 
21 WILLIAM B. SHUBB
22 UNITED STATES DISTRICT JUDGE